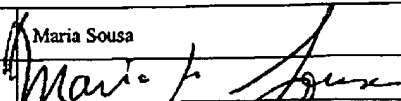


CERTIFICATE OF FACSIMILE TRANSMISSION		
I hereby certify that this paper or fee is being sent by facsimile transmission to (703) 306-5995 at the United States Patent and Trademark Office on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450		
Typed or Printed Name	Maria Sousa	
Signature		Date May 24, 2004

FACSIMILE TRANSMITTAL
LAW OFFICE OF ALAN W. CANNON
834 South Wolfe Road
Sunnyvale, California 94086
Telephone (408) 736-3554
Facsimile (408) 736-3564

Date: May 24, 2004
To: United States Patent & Trademark Office
Facsimile No.: (703) 746-9195
From: Alan W. Cannon, Reg. No. 34,977
LAW OFFICE OF ALAN W. CANNON
Re: U.S. Patent Application Serial No. 10/670,152
Filing Date: September 24, 2003
Title: Xyphoid Access for Surgical Procedures
Inventor: Federico J. Benetti
Atty. Docket No.: GUID-008CON2

Message:

The domestic priority data as claimed by applicant reads: "This Application is a CON of 09/757,128 01/08/2001 ABN" but should read -- This Application is a **CON of 09/757,128 01/08/2001, Pending** --

Please issue a corrected Updated Filing Receipt to make the above changes. Attached please find the following document:

1. A marked up copy of the Updated Filing Receipt showing the requested corrections circled.

Although it is believed that no fee is due in this action since the error was the fault of the Patent Office, if for any reason a fee is found to be necessary, the Commissioner is authorized to Charge such fee to Deposit Account No. 50-2653, order No. GUID-008CON2

Please call Maria Sousa at (408) 736-3554 if there are any problems with this transmission.

Thank You!

Total number of pages, including this cover sheet: 3

WARNING: This facsimile message and accompanying documents are intended only for the use of the addressee indicated above. Information that is privileged or otherwise confidential may be contained therein. If you are not the intended recipient, you are hereby notified that any dissemination, copying, review or use of the above message or the accompanying documents is strictly prohibited. If you have received this message in error, please notify us immediately by telephone or facsimile, and mail the original to us at the above address. Thank you.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/670,152	09/24/2003	3738	900	GUID-008CON2	7	12	2

CONFIRMATION NO. 2852

36154

LAW OFFICE OF ALAN W. CANNON
834 SOUTH WOLFE ROAD
SUNNYVALE, CA 94086

UPDATED FILING RECEIPT



OC000000012357423

Date Mailed: 04/14/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Federico J. Benetti, Rosario, ARGENTINA;
Charles S. Taylor, San Francisco, CA;
Michael V. Morejohn, San Jose, CA;

Domestic Priority data as claimed by applicant

This application is a CON of 09/757,128 01/08/2001 (ABN) Pending
which is a CIP of 09/071,757 05/01/1998 PAT 6,199,556

Foreign Applications

If Required, Foreign Filing License Granted: 12/16/2003

Projected Publication Date: 07/22/2004

Non-Publication Request: No

Early Publication Request: No

Title

Xyphoid access for surgical procedures

Preliminary Class

128

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).